

**United States Court of Appeals
For the First Circuit**

05-11116

No. 05-2287

CAMPUS STORES OF MASS., INC.,

Plaintiff - Appellee,

v.

FOLLETT HIGHER EDUCATION GROUP, INC.,

Defendant - Appellant.

**ORDER OF COURT
Entered: September 9, 2005**

This court has docketed defendant's appeal from the preliminary injunction order entered on August 2, 2005 in CA No. 05-11116 (D. Mass.) as Appeal No. 05-2287. On August 12, 2005, defendant filed a motion for clarification and/or reconsideration. Pursuant to Fed. R. App. P. 4(a)(4)(A), the notice of appeal does not become effective until the district court disposes of the post-judgment motion.

Therefore, appellant is directed to file a status report by **October 11, 2005** and at thirty day intervals thereafter, informing this court of any action taken by the district court on the post-judgment motion. Further, the appellant is directed to inform this court whether or not it intends to file a notice of appeal from the district court's post-judgment order. See Fed. R. App. P. 4(a)(4)(B).

Failure to comply with this order may lead to dismissal of this appeal for lack of diligent prosecution. Local Rule 3(b).

Once the district court rules on the motion for clarification and/or reconsideration, it is directed to forward its decision to this court forthwith.

By the Court:

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

By: df Date: 9/9/06

Richard Cushing Donovan, Clerk
MARGARET CARTER

By: _____
Chief Deputy Clerk

[Certified Copy: Honorable Nancy Gertner, Sarah A. Thornton, Clerk, US District
Court of Massachusetts]

[cc: Bradley L. Croft, Christopher P. Litterio, Esq., Mark A. Berthiaume, Esq., Susan
W. Gelwick, Timothy E. Maguire, Esq.]